

## **REMARKS**

### **I. Status of the claims**

Claims 1, 13, and 18 have been amended and claims 20-42 canceled. Claims 1-19 are pending for reconsideration.

### **II. Response to §112 rejection of claim 13**

The Examiner has rejected claim 13 for insufficient antecedent basis for the term "the support particles." Applicants have amended claim 13 by deleting the word "particles" from the term. The so-modified term "the support" finds sufficient antecedent basis in claim 1. Thus, Applicants respectfully request that the Examiner withdraw the rejection.

### **III. Double patenting rejection of claims 1 and 18**

The examiner has found that claims 1 and 18 are substantially duplicated. Applicants have amended claim 18 by adding element e): "supporting a catalyst on the support." Thus, amended claim 18 differs substantially from claim 1. Applicants respectfully request that the Examiner withdraw the double patenting rejection.

### **IV. Anticipation Rejection**

The Examiner has rejected claims 1-42 under 35 USC § 102(b) as being anticipated by *Denton et al.* (U.S. Pat. No. 6,329,315). Note that claims 20-42 have been canceled and thus the Examiner's rejection no longer apply to claims 20-42. Applicants respectfully traverse the Examiner's anticipation rejection of claims 1-19 for the reason that follows.

MPEP § 2131 provides: "*A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.*" *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). According to MPEP § 2131.02, "The identical

*invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).*

There are three independent claims 1, 15 and 18 pending in this application. All of these three independent claims require an essential element, i.e., the hydrogel comprises at least 5% by volume of the particles having a particle size in the range from greater than 0 but less or equal to 3  $\mu\text{m}$ , at least 40% by volume of the particles having a particle size in the range of greater than 0 but less than or equal to 12  $\mu\text{m}$ , and at least 75% by volume of the particles having a particle size in the range of greater than 0 but less than or equal to 35  $\mu\text{m}$ .

Applicants respectfully note that the Examiner has failed to find this claim element from *Denton et al.* Thus, the anticipation rejection of claims 1, 15, and 18 was not established and shall be withdrawn. The remaining claims depend from claim 1, 15, or 18 and they cannot be anticipated by *Denton et al.* because they incorporate the above-discussed claim element from their respective dependent claims.

Applicants respectfully request that the Examiner withdraw the rejections and allow remaining claims 1-19. Applicants invite the Examiner to telephone his attorney, Shao-Hua Guo, at (610) 359-2455 if a discussion of the application might be helpful.

Respectfully submitted,  
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